



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

UEKI, S. et al.

Atty. Ref.: 4034-4

Serial No. 09/985,805

Group: 2871

Filed: November 6, 2001

Examiner: Duong, T.

For: REFLECTIVE DISPLAY DEVICE AND PRISM ARRAY  
SHEET

\* \* \* \* \*

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**ELECTION UNDER 35 USC §121**

In response to the Office Action dated April 21, 2004 holding the subject matter of claims 1-43 to be non-obvious and patentably distinct from that of claims 44-48; as well as the following species: Species A (Embodiment 1), A1 (Figs. 4-6, claims 5-6), A2 (Fig. 10C, claim 11) A3 (Fig. 10B, claim 12), A4 (claim 13), A5 (Figs. 11A-11C, claims 17-21), B (Fig. 12, claim 24), C (Fig. 13, claims 40-42), D (Figs. 14 and 18, claims 27-30 and 48), E (claim 25), F (Fig. 19, claims 31 and 32), G (Figs. 20-22, claims 33-34) and H (Fig. 23, claim 43), Applicant(s) hereby elect the invention of Invention I (upon which claims 1-43 are readable) and Subspecies A1 (the species of Figs. 4-6, claims 5 and 6) for further substantive examination.

This election is made without traverse. However, since a restriction requirement is never proper unless the restricted group of claims is patentably distinct (i.e., inter alia, non-obvious under 35 USC §103) from the elected group of claims, the Examiner is requested to insure that such patentable distinctness is present before proceeding to make the requirement final.

It is respectfully requested that the non-elected claims be retained.

The Commissioner is authorized to charge the undersigned's deposit account no. 14-1140 in whatever amount is necessary for entry of this Amendment and

UEKI, S. et al.  
Serial No. 09/985,805

the continued pendency of the captioned application, including but not limited to any extension of time fees.

Should the Examiner feel that an interview with the undersigned would facilitate allowance of this application, the Examiner is encouraged to contact the undersigned.

Respectfully submitted,  
**NIXON & VANDERHYE P.C.**

May 20, 2004

By: 

H. Warren Burnam, Jr.

Reg. No. 29,366

HWB:lsh  
1100 North Glebe Road, 8th Floor  
Arlington, VA 22201-4714  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Atty Dkt. 4034-4

C# M#

UEKI, S. et al.

TC/A.U.

2871

Serial No. 09/985,805

Examiner: Duong, T.

Filed: November 6, 2001

Date: May 20, 2004

Title: REFLECTIVE DISPLAY DEVICE AND PRISM ARRAY SHEET

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE/AMENDMENT/LETTER**

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

☐ **Correspondence Address Indication Form Attached.****Fees are attached as calculated below:**

Total effective claims after amendment **48** minus highest number  
previously paid for **48** (at least 20) = **0** x \$ 18.00 \$ 0.00

Independent claims after amendment **2** minus highest number  
previously paid for **3** (at least 3) = **0** x \$ 86.00 \$ 0.00

If proper multiple dependent claims now added for first time, add \$290.00 (ignore improper) \$ 0.00

Petition is hereby made to extend the current due date so as to cover the filing date of this  
paper and attachment(s) (\$110.00/1 month; \$420.00/2 months; \$950.00/3 months) \$ 0.00

Terminal disclaimer enclosed, add \$ 110.00 \$ 0.00

☐ First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$770.00) \$ 0.00

☐ Please enter the previously unentered , filed

☐ Submission attached

**Subtotal** \$ **0.00**

If "small entity," then enter half (1/2) of subtotal and subtract -\$ 0.00

☐ Applicant claims "small entity" status. ☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee (\$180.00) \$ 0.00

Assignment Recording Fee (\$40.00) \$ 0.00

Other: 0.00

**TOTAL FEE ENCLOSED** \$ **0.00**

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

1100 North Glebe Road, 8<sup>th</sup> Floor  
Arlington, Virginia 22201-4714  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100  
HWB:lsH

NIXON & VANDERHYTE P.C.  
By Atty: H. Warren Burnam, Jr., Reg. No. 29,366

Signature: 